

21

* Formal Hearing Requested *
* Contested Case *

Case No. ERDCC-23-

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prise an incorporate part of the original IRR Form submitted herewith, as if set out fully on the IRR Form, as per the Department's own written policies, procedures, SOPs, and Office of Professional Standards protocols, etc.;

b. D5-3.2§III.K.8(b)(1), specifically, in that since these pages number six (6) or fewer that a copy of same be provided along with any answer, reply, justification, etc. to this IRR, pursuant to the Department's own written policies, procedures, etc.;

c. IS13-4; IS13-4.1; D2-11.10, et al., specifically in that this complaint/petition/affidavit submitted with the original IRR Form also comprises an official offender-to-staff correspondence, a written reply to which is hereby respectfully requested, pursuant to the Department's own written policies, including, inter alia; IS13-4.1§III.B & .C, et al.;

d. RSMo § 217.410, specifically in that this complaint/petition/etc. also comprises an official Report of Offender Abuse made pursuant to, inter alia; RSMo § 217.410, and the Department's own written policies, and plaintiff prays that this complaint/etc. be also processed as same;

e. IS19-1.6§II.D & IS19-1.6§III.G.19, specifically in that this complaint/etc. presented herewith concerns offender abuse which resulted in serious physical injury(ies) resultant from staffer misconduct, and plaintiff prays that it be referred to the Office of Professional Standards of the MO-DOC for investigation and review, etc.

Preservation of Evidence - Notice to Parties Invocation(s)

2. Plaintiff does hereby provide official notice that litigation is anticipated in these matters, and that any/all/each bit of evidence germane and relevant to same be preserved, as per Rule(s)/law, and plaintiff specifically requests that a copy of this IRR/etc. be provided to the General Counsel of the Missouri Department of Corrections, 2729 Plaza Drive, Post Office Box 236, Jefferson City, Missouri 65102-0236, USA, and to preserve any/all/each article of data, file, record, log, surveillance footage, referral, report, finding, etc. related to the facts germane to the matters, issues, and controversies set out in this complaint/etc., as per Rule(s)/law, et al.

Statement of Facts Germane to this Action(s)

3. Plaintiff was the subject of a brutal attack on 31 May 2023, including that he was stabbed with an object causing serious physical injury that required medical care beyond that of First Aid, and suffers permanent disability(ies) resultant from same, including loss of use which interferes with daily living activities.

4. Plaintiff was housed in ERDCC HU1C at the time of the attack described in paragraph three (3) herein, supra. At the time HU1C at ERDCC was being operated as a transitional housing unit of sorts, whereby which offenders that were leaving segregation status were temporarily housed there prior to being reassigned to general population status.

5. The operation of the HU1C unit included sessions where part of the residents would be allowed out into the wing to use the showers, etc. for a period of thirty (30) minutes at a time, so as to reduce the number of offenders out in the common area at any given time. Staff select the offenders permitted out such to avoid known conflicts in furtherance of directives of the MO-DOC/ERDCC.

6. The attacking offender's thirty (30) minute period was scheduled just prior to plaintiff thirty (30) minute 'rotation'.

7. Whilst the attacking offender's rotation was still out in the common area, an officer announced a directive over the intercom system for all offenders 'on rotation' to return to their respective rooms and lock down the doors.

8. The attacking offender, instead of returning to his assigned cell, went and hid inside a shower stall.

9. Officers assigned/posted at housing units, including HU1C, are required to perform security rounds every thirty minutes, whereby which they are required to enter the housing unit wings, including HU1C, and check the common area and each cell.

10. No officer came into the wing after the attacking offender's thirty (30) minute rotation, even after being told to 'lock down' and even after the attacking offender could be seen moving to hide within a shower stall.

11. Amongst the officers assigned to HU1 during all times relevant to this proceeding/action, was Ms. Casey Motley, E0152453, and other officers unknown to plaintiff, designated John Doe(s)/Jane Roe(s) at this time.

12. Plaintiff, along with other offenders scheduled for their thirty (30) minute 'rotation' were permitted out into the common areas, not knowing that the attacking offender had not locked down, not knowing that a security round had not been conducted, and not knowing that the attacking offender was hiding inside a shower stall.

13. After several minutes, the attacking offender came out and brutally attacked plaintiff, stabbing him with an item of dangerous contraband, including stabs to the face, neck, hands, as well as plaintiff's ribs/chest area.

14. The nature of the attack was such that loss of life was a likely outcome, in that plaintiff was severely injured in the

neck/face, etc., as medical records will, or should, reveal.

15. At all times relevant to this proceeding/action(s) video security closed-circuit television cameras were operational within the entire confines of HU1 at ERDCC, including that the control room, or 'bubble' officer, had monitors to observe the output of the CCTV cameras.

16. Security cameras and monitors are installed at ERDCC in HU1C and officers posted/assigned there are required to monitor same as part of their ministerial duties as well as their duties to their employer and plaintiff.

17. Officers assigned/posted to HU1C have a ministerial, professional, and special assumed duty(ies) to monitor HU1C residents, monitors, and to control 'rotations' in such a way to substantially protect each resident, including plaintiff.

18. Plaintiff had a right to expect the honest services of his government, for staffers to perform their duty(ies) to the standards level of care requisite of their assigned/assumed post/duty(ies), and to be protected from serious physical injury, including from brutal attacks such as the one that ensued on 31 May 2023.

19. Plaintiff has suffered serious physical injury requiring medical care. Plaintiff's ability to swallow properly is still impeded, and his circulation through his neck arteries/veins remains adversely affected. Plaintiff continues to experience emotional distress resultant of the serious physical injuries sustained resultant of the attack on 31 May 2023.

20. Plaintiff has suffered loss of use to the extent that he is unable to participate in daily living activities, even to this day, resultant of the attack of 31 May 2023.

21. Each of the officer(s) assigned/posted at HU1C on 31 May 2023, including multiple John Doe(s)/Jane Roe(s), as well as Ms. Casey Motley, has taken steps to obfuscate, cover-up, and misinform in order to avoid taking responsibility(ies) for their respective failure(s) to protect, failure(s) to perform their respective ministerial duties, and failure(s) to accurately make report(s), as is mandated by, inter alia; D2-11.10, et al.

22. Contractor(s) of the MO-DOC designated to provide and fulfill the mandates of, inter alia; RSMo § 217.230, have failed to completely chart/record all of the symptoms plaintiff has disclosed to same, have failed to conduct appropriate testing, diagnosis, and treatment/care for plaintiff's serious physical injuries, and staffers of the MO-DOC/ERDCC have failed to provide appropriate oversight of said contractor(s). Same have failed to institute and maintain appropriate internal controls/metrics to vouchsafe that the mandates of RSMo § 217.230, et al., as well as the terms and conditions of the written contracts between the State of Miss-

out and the healthcare contractors.

23. The failure(s) of both the medical contractor(s) and supervisory/managing staffer(s) continue to compound the serious physical injury(ies), loss of use, and emotion distress of plaintiff, and further serve to obfuscate, cover-up, and conceal the true nature of the staffer/contractor misconduct/misbehavior that has ensued to the detriment of plaintiff, as already described herein, supra.

24. Plaintiff prays for a complete and thorough investigation, along with formal hearings as a 'contested case,' and does hereby release any/all/each investigating staffer(s) of the Administrative Remedy Agency to be granted access to any/all/each medical record, and does hereby waive, for the pendency of the processing of the IRR/Grievance/Appeal, any HIPPA protections of privacy of same.

25. Plaintiff prays that the findings of/from the investigation into the matters, issues, and controversies set out/incorporated herein be made in writing and that that writing be designated an official record of the State of Missouri, Department of Corrections.

26. Plaintiff prays for a report and subsequent investigation be also conducted by the Office of Professional Standards of the Missouri Department of Corrections, and that those investigation findings be made an official record of the State of Missouri.

27. Plaintiff prays for a change in the written policies, procedures, protocols, SOPs, etc. of the MO DOC to vouchsafe that the circumstances that led to the failure to protect, the staffer misconduct, the contractor misconduct, and the obfuscations/cover-ups that have ensued in this matter, issue, and controversy be made, including changes in internal controls and metrics.

28. Plaintiff prays for fair and reasonable monetary damages, punitive damages, attorney fees, fees, costs, and interest as per court Rule(s).

29. Plaintiff's rights, including constitutional, statutory, and fundamental rights have, and continue to be, violated, which plaintiff prays for abatement and appropriate prevention measures to be adopted, and misbehaving/misconducting staffers/contractors to be appropriately punished, sanctioned, disciplined, &/or terminated.

30. Plaintiff prays that all parties named, described, &/or implicated in this complaint and the resulting investigations be identified to him, and be provided a copy of this complaint/petition/affidavit/etc. along with the original IRR Form, and to also receive an "Administrative Proceedings Warning" FORM [MO 931-3469] concerning same.

WHEREFORE, Plaintiff does hereby pray that the Administrative Remedy



Department of Corrections
Conduct Violation Report

NAME OF INSTITUTION ERDCC		DATE 05/31/2023	
OFFENDER NAME MILLS, DESMOND	DOC NUMBER 1090887	ASSIGNMENT (L21) - -	H.U. 001-01C-0C209-002
PRIMARY RULE VIOLATION NUMBER & DEFINITION 25.1- ENGAGE IN PHYSICAL STRUGGLE		SECONDARY RULE VIOLATION NUMBER(S)	
VICTIM(S) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAMES AND EMPLOYEE OR DOC NUMBERS(S) N/A		

Violation Occurred At:

TIME 1:52 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	DAY Wednesday	DATE 05/31/2023	BUILDING, COMPLEX, ROOM 001-01C-0C119 (DAY) DAYROOM	TRACKING NO. ERDCC23-04432
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THE FOLLOWING EVENTS OCCURRED

On the above date and approximate time, this reporting officer observed Offender Mills, Desmond # 1090887 in a physical altercation with Offender Resz, Joseph # 1244937 In the C-wing Dayroom. Upon entering the wing with other responding officers Offender Mills was directed to stop fighting and lay on the floor. Offender Mills complied and submitted to restraints. Offender mills was escorted to medical to address his injuries.

by the offenders own actions, this places him in violation of rule 25.1.

6-21-23

REPORTING EMPLOYEE SIGNATURE <i>Casey Motley</i> COI	REPORTING EMPLOYEE NAME MOTLEY, CASEY, L TITLE CORRECTIONAL WORKER EMPLOYEE ID NO. E0152453
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1. You have the right to written notice of the alleged violation prior to a hearing.
2. You have the right to a hearing.
3. You may be allowed to present documentary evidence at the hearing.
4. Witnesses may be allowed.
5. You have the right to written findings & decision.
6. You have the right to appeal the decision as set forth in D5-3.2 Offender Grievance Procedure.

REPORT OF JOINT INTERVIEW BY INTERVIEWING STAFF	TIME 5:45 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	DATE 5-31-23
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10/ States: "I was defending myself"

Refer to CHO

WITNESS REQUESTED IF "YES" COMPLETE WITNESS <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No REQUEST (MO 931-0259)	INFORMAL SANCTIONS <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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I UNDERSTAND MY RIGHTS AND HAVE RECEIVED A COPY OF THIS CONDUCT VIOLATION REPORT.

OFFENDER SIGNATURE <i>Mills</i>	OFFENDER REQUESTED TO SIGN <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DOC NUMBER 1090887
OFFENDER PLEA GUILTY AT INTERVIEW AND WAIVED RIGHT TO HEARING <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
OFFENDER SIGNATURE <i>Mills</i>	DATE 5-31-23	REPORTING EMPLOYEE SIGNATURE <i>Casey Motley</i> COI
INTERVIEWING EMPLOYEE NAME J. Ragan TITLE COII	EMPLOYEE ID NO. 153216	INTERVIEWING EMPLOYEE SIGNATURE <i>Atty</i> COII 1532

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Steps July

2 3 (4)

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Agency, including the IRR Investigator(s), Respondent(s), &/or Reviewer(s), would grant plaintiff the relief/remedy(ies) as are set out, incorporated, and prayed for herein, supra.

Verification of Affidavit/Evidence

COMES now Desmond Mills to make known by these presents that he does hereby verify/certify that the statements of facts, averments, arguments, citations, invocations, incorporations, suggestions, and prayers for relief/remedy(ies) made herein, or on the original IRR form submitted herewith are TRUE and ACCURATE and are so made of his own free will act and deed, under oath, and under the penalties of making false statements/perjury, as is evidenced by his signature herein below. So attested to and made an affidavit thereof herewith.

Cordially & Respectfully Submitted,

/s/ Desmond Mills

7-5-23

Desmond Mills

*Date

MO-DOC No. 1090887

ERDCC / Legal Mail

2727 HWY K

Bonne Terre, Missouri 63628-3430

United States of America

* Submitted timely by placing same into the institutional mailbox system this same date, pursuant to the precepts set out in, inter alia; Houston v. Lack, 108 S.Ct. 2379 (1988), et al.



OFFENDER
COPY


Informal Resolution Response

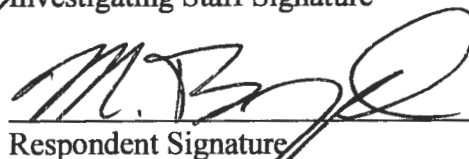
Offender and Number: **Mills, Desmond**
Offender Number: **1090887**
IRR Number: **ERDCC23-1073**
Category: **8D**

Nature of Complaint: Your IRR has been received and reviewed. You state that you were assaulted by another offender on May 31, 2023 and you received serious physical injuries in that attack. You claim the housing unit staff members failed to perform the required security checks in a manner consistent with policy. You are requesting the alleged staff misconduct be stopped, involved staff members be disciplined, and to receive monetary compensation.

Investigation / Findings: Your IRR and all pertinent information/documentation has been received and reviewed. Upon review, it was determined that on May 31, 2023, you were allowed outside of your assigned cell for your 30-minute recreation rotation. There was a security check conducted in the wing while you were on your recreation rotation just nine minutes before you were directed to return to your assigned cell. It was verified you were assaulted by another offender, but this assault occurred sixteen minutes after you should have been secured inside your assigned cell. Had you been in your cell, the other offender would not have had the opportunity to assault you.

Recommendations: Based on the review of the findings, I do not find sufficient evidence to support your claim. Your IRR is denied.

 ccmt #138996
Investigating Staff Signature

 104553
Respondent Signature

 NW 110787
Reviewer Signature



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
INFORMAL RESOLUTION REQUEST

INSTITUTION USE ONLY

☐ EMERGENCY COMPLAINT

CATEGORY: SA ED DATE RECEIVED: 7/12/23

COMPLAINT NUMBER: FROCC 23-1073

OFFENDER SECTION - MUST COMPLETE WITH INK

OFFENDER NAME

Mills, Desmond

DOC I.D.

1090887

HOUSING UNIT

4C-209

STATE YOUR COMPLAINT OR PROBLEM BRIEFLY. ONLY ONE ISSUE. BE SPECIFIC.

See attached papers (6)

ACTION REQUESTED - STATE THE REMEDIES YOU ARE SEEKING.

Plaintiff seeks abatement of the staff misconduct, fair and reasonable monetary damages, punitive damages, fees, costs, attorney fees and interest as provided by Rule(s) and for staff to be disciplined / Reprimanded / documented / ect

OFFENDER SIGNATURE

Desmond A Mills

DOC I.D.

1090887

DATE

7-5-23

INSTITUTION STAFF MEMBER USE ONLY

DISCUSSION OF COMPLAINT - SUMMARIZE THE RESULTS OF THE MEETING.

Offender stated staff members are not following policy which led to his injuries. Offender would also like to add an additional remedy of custody staff members being required to wear body cameras.

☐ IRR RESOLVED BY DISCUSSION OR WITHDRAWN

☒ IRR NOT RESOLVED BY DISCUSSION

OFFENDER SIGNATURE

Mills, Desmond

DOC I.D.

1090887

DATE

9-20-23

STAFF MEMBER SIGNATURE

[Signature]

I.D. NUMBER

138996

DATE

09/20/2023

STAFF FINDINGS - RESPONSE

SEE ATTACHED

INVESTIGATING STAFF MEMBER SIGNATURE

[Signature]

I.D. NUMBER

138996

DATE

09/29/2023

RESPONDENT SIGNATURE

[Signature]

I.D. NUMBER

104553

DATE

9/29/23

REVIEWER SIGNATURE

Tim Freeman AW

I.D. NUMBER

110770

DATE

RESULTS: ☐ SATISFACTORY ☐ UNSATISFACTORY

YOU HAVE THE RIGHT TO FILE A FORMAL GRIEVANCE. YOU MUST FILE A GRIEVANCE FORM WITH THE DESIGNATED STAFF WITHIN SEVEN DAYS FROM THE DATE YOU RECEIVE THIS RESPONSE. FAILURE TO SUBMIT A GRIEVANCE WITHIN THIS TIME FRAME CONSTITUTES ABANDONMENT.

OFFENDER SIGNATURE

DOC I.D.

DATE



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
OFFENDER GRIEVANCE

ORIGINAL

INSTITUTION USE ONLY

GRIEVANCE NUMBER: EROCC 23-1073

CATEGORY: 8D

DATE FILED: _____

OFFENDER SECTION - MUST COMPLETE WITH INK

OFFENDER NAME	DOC I.D.	HOUSING UNIT	UNIT	INSTITUTION
<u>Mills, Desmond</u>	<u>1090887</u>	<u>20</u>	<u>217</u>	<u>EROCC</u>

OFFENDER GRIEVANCE OR REQUEST

See original attached papers (6) that was typed up with the Informal Resolution Request form. Note: Ms. Gross came to talk to me she did not have the copies I turnt in with my I.R.R. The six (6) pages that was attached. I would like copies of what I had typed up.

Thank you for your cooperation.

OFFENDER SIGNATURE

Desmond Mills

DOC I.D.

1090887

DATE

10-19-23

CAO OR DESIGNEE RESPONSE

RECEIVED

DEC 28 2023

ERDCC
WARDEN'S OFFICE

RECEIVED

UCL 25 2023

ERDCC
GRIEVANCE OFFICE

CHIEF ADMINISTRATIVE OFFICER OR DESIGNEE SIGNATURE

[Signature]

I.D NUMBER

134465

DATE

12/28/2023

YOU HAVE THE RIGHT TO APPEAL THE DECISION TO A DIVISION DIRECTOR. YOU MUST FILE AN APPEAL FORM WITH THE GRIEVANCE OFFICER WITHIN SEVEN DAYS FROM THE DAY YOU RECEIVE THIS DECISION. FAILURE TO SUBMIT AN APPEAL WITHIN THIS TIME FRAME CONSTITUTES ABANDONMENT OF THE GRIEVANCE.

☐ I ACCEPT THIS DECISION ☐ I APPEAL THIS DECISION

OFFENDER SIGNATURE

DOC I.D.

DATE

WARDEN'S RESPONSE

GRIEVANCE LOG NUMBER

DATE

ERDCC 23-1073

12/27/2023

OFFENDER NAME

DOC NUMBER

CATEGORY

Mills, Desmond

109887

109887

8D

☐ EMERGENCY GRIEVANCE ☒ GRIEVABLE ☐ NON-GRIEVABLE

RESPONSE AND JUSTIFICATION:

Mr. Mills, I am in receipt of your grievance dated October 25, 2023. You state you were assaulted by another offender on May 31, 2023, and received serious injuries. You state your attacker hid in the shower, after his recreation was over. You state staff did not conduct a security check after your attacker's recreation was completed to ensure all offenders were secured. You expanded your grievance to state that you did not receive a copy of the attachments to your Informal Resolution Request when the housing unit case manager met with you.

I have reviewed your Informal Resolution Request, Grievance, and other pertinent information available to me. Correctional staff are expected to conduct a security check no less than once every 30 minutes. A security check was completed 25 minutes prior to the altercation. When the altercation occurred, staff responded appropriately, and you were taken to medical for treatment. Per D5-3.2 Offender Grievance "Personnel action taken as a result of a complaint is confidential and shall not be specified in the response to the offender." Additionally, you were given a copy of your six-page attachment by the housing unit case manager later that same day. This should resolve your complaint at the Grievance level.


GRIEVANCE OFFICER'S SIGNATURE

WARDEN'S ACTIONS

☒ APPROVED ☐ DISAPPROVED


CHIEF ADMINISTRATIVE OFFICER OR DESIGNEE SIGNATURE

ORIGINAL



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
OFFENDER GRIEVANCE APPEAL

INSTITUTION USE ONLY

GRIEVANCE NUMBER: ERDCC-23- 1073

8B

DATE FILED: 12/22/23

OFFENDER SECTION - MUST COMPLETE WITH INK

OFFENDER NAME

MILLS, DESMOND 2D-217

DOC I.D.

1090887

INSTITUTION

ERDCC

REASON FOR APPEAL

THE Informal Resolution Response of the Investigation/ findings was incorrect. THE brutally disturbing event was recorded by the Security Closed-Circuit television cameras, ~~with the show~~ THE footage will show the investigating staff member "attempted" to produce falsified documents despite the preponderance of evidence. Tim FREEMAN "conspired" with the investigating staff (#138996) member as well.

THE remedies I'm seeking are a change in the Policies and Procedures and monetary compensation.

NOTE: I will like a copy of the grievance form I turned in on 10-20-23

OFFENDER SIGNATURE

Mills, Desmond

DOC I.D.

1090887

DATE

12-26-23

DIVISION DIRECTOR OR DESIGNEE RESPONSE

RECEIVED

JAN 04 2024

ERDCC
GRIEVANCE OFFICE

DIVISION DIRECTOR OR DESIGNEE SIGNATURE

DATE

Finalization of this appeal represents exhaustion of this grievance pursuant to federal law, 28 CFRs 40.

OFFENDER SIGNATURE

DOC I.D.

DATE

Michael L. Parson
Governor



2729 Plaza Drive
P. O. Box 236
Jefferson City, MO 65102
Telephone: 573-751-2389
Fax: 573-751-4099

Trevor Foley
Acting Director

State of Missouri
DEPARTMENT OF CORRECTIONS
"Improving Lives for Safer Communities"

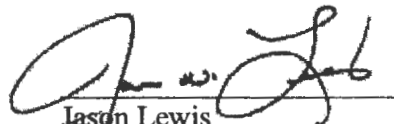
GRIEVANCE APPEAL RESPONSE

February 22, 2024

Desmond Mills
Register #1090887
Eastern Reception, Diagnostic & Correctional Center (ERDCC)

RE: ERDCC-23-1073
Other
Received on January 24, 2024
Reviewed on February 22, 2024

Your appeal dated December 26, 2023, has been reviewed. The grievance response you received adequately addressed your complaint. Your complaint claims staff failed to protect you by failing to conduct required security checks. You further claim this resulted in you being assaulted. After a careful review of all the evidence provided to me, I have not found any violation to policy or procedure. The staff involved refute your claims. Additionally, Missouri Department of Corrections Procedure, D5-3.2-Offender Grievance states, "Consequential or punitive damages will not be provided." Furthermore, security cameras are for safety and security reasons and there is nothing in policy or procedure that requires security cameras be reviewed at the request of an offender. You have failed to provide any evidence to support your complaint. Your appeal is denied.


Jason Lewis
Deputy Division Director
Division of Adult Institutions

JL/kk

TEMPORARY ADMINISTRATION SEGREGATION CONFINEMENT FORM

Offender Management Information System

Date: 5/31/23

Institution: ERDCC

DOC Name: DESMOND MILLS

DOC ID: 1090887

From: 001 01C 0C209 002

To: 002 02A 2A208 001

Date: 05/31/2023

Time: 01:52 PM

CONFINEMENT IS ORDERED ON THE BASIS OF THE FOLLOWING CRITERIA:

There is an immediate security risk involved.

There is urgent need to separate the offender from others for his/her own safety or that of others.

For the security and good order of the institution.

STATEMENT OF FACTS IN SUPPORT OF TASC/COMMENTS:

CONDUCT VIOLATION OF RULE 25.1

\O\MILLS, DESMOND #1090887 PLACED ON TASC FOR BEING OBERSEVED IN A PHYSICAL ALTERCATION WITH
\O\RESZ, JOSEPH #1244937

Supervisor: E0046145 HOWE, DAVID

CONFINEMENT IN TASC: *CONTINUE*REASON: *REMOVED A HARSH BY A C-40.*The hearing shall be held on or before: *6-9-23*

Superintendent:

*ENEMY HAS UPATED
ADMIN ENEMIES**Jon Bryan*

SMTWTFSS
31123
456789
other

12-12-23

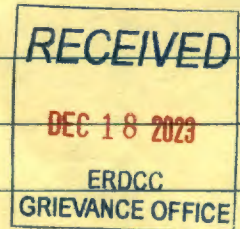
To whom it may concern:

My name is Desmond Mills #1090887. I would like to get a grievance appeal form for ERDCC23-1073. Staff have exceeded the time frame allowed to respond back to the grievance I put in on 10-20-23.

Thank you for your cooperation.

Sincerely

Mr. Mills



TO: GRIEVANCE
Office



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
REJECTION OF MAIL

OFFENDER COPY

INSTITUTION

ERDCC

OFFENDER NAME

MULLIS, DESMOND

DOC NUMBER

1090887

HOUSING UNIT ASSIGNMENT

2D 217

1. ☐ RETURN ADDRESS INCORRECT OR INCOMPLETE
- ☐ OFFENDER'S COMPLETE COMMITMENT AND/OR LEGAL NAME AND DOC NUMBER
- ☐ INSTITUTIONAL NAME (NO ABBREVIATIONS)
- ☐ HOUSING UNIT
- ☐ STREET ADDRESS OR POST OFFICE BOX
- ☐ CITY, STATE, ZIP

2. ☒ POSTAGE DUE

ADDRESS REQUIRED TO FIGURE AMOUNT NEEDED

3. ☒ MAIL WAS RECEIVED FROM:

The Red Bulletin Oct/Nov 2023

AND CONTAINED THE FOLLOWING CONTRABAND OR UNAUTHORIZED ITEMS

1 Magazine

4. ☐ MAIL WAS SENT OUT BY YOU AND CONTAINED THE FOLLOWING CONTRABAND OR UNAUTHORIZED ITEMS

5. ☐ NON-PRIVILEGED MAIL WAS SEALED

6. ☒ OTHER EXPLANATION

In accordance with Temporary Operating Directive dated August 25, 2023, effective September 25, 2023, residents will no longer be allowed to receive publications purchased by family and friends. After a search, there is nothing indicating you purchased the publication(s).

ADDITIONAL INFORMATION/COMMENTS

-THE PACKAGING CAN BE RE-USED; HOWEVER, YOU WILL NEED TO PROVIDE THE NAME & ADDRESS YOU WANT TO MAIL THE PACKAGE TO IN ORDER TO FIGURE THE CORRECT POSTAGE AMOUNT

OR

-THE PACKAGING CANNOT BE REUSED. YOU WILL NEED TO PROVIDE AN ADDRESSED LARGE MANILLA ENVELOPE

INSTRUCTIONS

PLEASE CHOOSE AN OPTION BELOW ON OR BEFORE 11/10/23

MAIL THE ITEM TO NAME BELOW (SEE ADDITIONAL INFORMATION/COMMENTS ABOVE FOR PACKAGE INFORMATION):

DISPOSE

SEND OUT IN VISITING WITH

STAFF SIGNATURE

C. KNOX OSA Mailroom

DATE

10/10/23

in switchen the gears
Mashin da gas
switchen lanes
Sne actin first

$$\begin{array}{r} 100 \\ 69 \\ \hline 1.69 \\ 2.56 \\ \hline 4.25 \\ 3.28 \\ \hline 7.53 \\ 78 \\ \hline 7.81 \end{array}$$

Prisoners Self Help
Litigation Manual
59.99
1077

would pris on legal news.
org

SOP 21-1.2(L) 1

Close Supervision and Control
Should be exercised to
Ensure the rights, safety and
Welfare of all offenders and
Staff



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
INFORMAL RESOLUTION REQUEST

INSTITUTION USE ONLY

☐ EMERGENCY COMPLAINT

CATEGORY: 25 DATE RECEIVED: 10-17-23

COMPLAINT NUMBER: ER00023-172

OFFENDER SECTION - MUST COMPLETE WITH INK

OFFENDER NAME: Mills, Desmond A. DOC I.D.: 1090887 HOUSING UNIT: 2D2D

STATE YOUR COMPLAINT OR PROBLEM BRIEFLY. ONLY ONE ISSUE. BE SPECIFIC.

I wrote a green check to Tightwad magazine. So its in the Computer. The address is P.O. Box 1941 Burford GA 30515. I been ~~order~~ ordering from them the last 2, 3 years.

ACTION REQUESTED - STATE THE REMEDIES YOU ARE SEEKING.

I want my Red Bulletin magazine

OFFENDER SIGNATURE: Desmond Mills DOC I.D.: 1090887 DATE: 10-13-23

INSTITUTION STAFF MEMBER USE ONLY

DISCUSSION OF COMPLAINT - SUMMARIZE THE RESULTS OF THE MEETING.

Wants to continue

☐ IRR RESOLVED BY DISCUSSION OR WITHDRAWN

☒ IRR NOT RESOLVED BY DISCUSSION

OFFENDER SIGNATURE: Mills DOC I.D.: 1090887 DATE: 10-17-23 STAFF MEMBER SIGNATURE: Heather Horn I.D. NUMBER: 143039 DATE: 10-19-23

STAFF FINDINGS - RESPONSE

See attached

INVESTIGATING STAFF MEMBER SIGNATURE: Heather Horn I.D. NUMBER: 143039 DATE: 11-20-23
REVIEWER SIGNATURE: [Signature] I.D. NUMBER: 123014 DATE: 11/30/23
RESPONDENT SIGNATURE: [Signature] I.D. NUMBER: 101321 DATE: 11/30/23
RESULTS: ☐ SATISFACTORY ☐ UNSATISFACTORY

YOU HAVE THE RIGHT TO FILE A FORMAL GRIEVANCE. YOU MUST FILE A GRIEVANCE FORM WITH THE DESIGNATED STAFF WITHIN SEVEN DAYS FROM THE DATE YOU RECEIVE THIS RESPONSE. FAILURE TO SUBMIT A GRIEVANCE WITHIN THIS TIME FRAME CONSTITUTES ABANDONMENT.

OFFENDER SIGNATURE: DOC I.D.: DATE:

2D-217

Informal Resolution Request

OFFENDER NAME AND NUMBER: Mills, Desmond 1090887

IRR LOG NUMBER: ERDCC23-1772

Category: 2J

HOUSING UNIT: 2D-217

NATURE OF COMPLAINT:

You state in your IRR, you wrote a green check to, "Tight Wad Magazine." The address is PO Box 1941, Burford GA 30515. You have been ordering from them the last 2-3 years. You are requesting to receive your Red Bulletin magazine.

FINDINGS

The IRR you submitted and all supporting documentation has been reviewed. The mailroom conducted a search and did not find this magazine or any censorship/rejections. The last green check you submitted for "Tight Wad Magazine" was in March 2022. You did not provide any proof that you have a current subscription to "Red Bulletin." Based on my findings, the IRR is resolved.

Recommendation:

IRR is denied. No further action necessary.

Heather Jones 143039
Investigating Signature

11-20-23
Date

BOS Jim 10321
Respondent Signature

11/30/23
Date

W. C. AAW
Reviewer Signature

11/30/23
Date

OFFENDER
COPY



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
OFFENDER GRIEVANCE

ORIGINAL

INSTITUTION USE ONLY

GRIEVANCE NUMBER: ERDCC 23-1772
CATEGORY: 2J DATE FILED: _____

OFFENDER SECTION - MUST COMPLETE WITH INK

OFFENDER NAME <u>Mills, Desmond</u>	DOC I.D. <u>1090887</u>	HOUSING UNIT <u>2D</u>	UNIT <u>217</u>	INSTITUTION <u>ERDCC</u>
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OFFENDER GRIEVANCE OR REQUEST

Tight wad Magazine is the Company and they sale a list of different magazines. I ordered 7 different ones from them. The "Red Bulletin" was just one of them. I dont want to take you to Court but I will because this is a clear case of my rights being ~~violated~~ Violated. You seen I sent the Green Check. I just want whats mines. My son plays football is a sports junnie ~~Thru~~ Through "Red Bulletin" I'm able to bond with my 16yr old son.

OFFENDER SIGNATURE <u>Desmond Mills</u>	DOC I.D. <u>1090887</u>	DATE <u>12-5-23</u>
--	----------------------------	------------------------

CAO OR DESIGNEE RESPONSE

RECEIVED
JAN 18 2024
ERDCC
WARDEN'S OFFICE

RECEIVED
DEC 06 2023
ERDCC
GRIEVANCE OFFICE

CHIEF ADMINISTRATIVE OFFICER OR DESIGNEE SIGNATURE <u>[Signature]</u>	I.D NUMBER <u>12446</u>	DATE <u>1/19/2024</u>
--	----------------------------	--------------------------

YOU HAVE THE RIGHT TO APPEAL THE DECISION TO A DIVISION DIRECTOR. YOU MUST FILE AN APPEAL FORM WITH THE GRIEVANCE OFFICER WITHIN SEVEN DAYS FROM THE DAY YOU RECEIVE THIS DECISION. FAILURE TO SUBMIT AN APPEAL WITHIN THIS TIME FRAME CONSTITUTES ABANDONMENT OF THE GRIEVANCE.

☐ I ACCEPT THIS DECISION ☐ I APPEAL THIS DECISION

OFFENDER SIGNATURE	DOC I.D.	DATE
--------------------	----------	------

WARDEN'S RESPONSE

GRIEVANCE LOG NUMBER

DATE

ERDCC 23-1772

01/17/2024

OFFENDER NAME

DOC NUMBER

CATEGORY

Mills, Desmond

1090887

2J

☐ EMERGENCY GRIEVANCE ☒ GRIEVABLE ☐ NON-GRIEVABLE

RESPONSE AND JUSTIFICATION:

Mr. Mills, I am in receipt of your Grievance dated Dec 06, 2023. You state that you ordered the *Red Bulletin* magazine through the Tightwad Magazine Company. You are requesting to receive this publication.

I have reviewed your Informal Resolution Request, Grievance, and other pertinent information available to me. I found the response to your Informal Resolution adequately addressed your complaint. The *Red Bulletin* magazine has not been located in the mail room, and there are no records of it being censored or rejected. The last request to withdraw funds for Tightwad magazine was in March 2022. You may need to contact the company regarding your subscription. This should resolve your complaint at the Grievance level.


GRIEVANCE OFFICER'S SIGNATURE

WARDEN'S ACTIONS

☒ APPROVED ☐ DISAPPROVED


CHIEF ADMINISTRATIVE OFFICER OR DESIGNEE SIGNATURE

Tightwad Magazines

P.O. Box 1941 Buford GA 30515

Magazine (# issues)	Price
Action Comics (12)	29.95
A Hitchcock Mystery (12)	26.95
Acoustic Guitar (6)	22.95
Afar (Travel) (12)	12.95
Alaska (10)	19.95
Allure (12)	11.95
Alternative Medicine (6)	19.95
American Angler (6)	12.95
Analog Science FI (12)	23.95
Animal Tales (6)	19.95
Approved Variety Puzzles (6)	19.95
Aquaman (Comic) (12)	32.95
Archaeology (6)	17.95
Architectural Digest (11)	13.95
Artist Magazine (10)	19.95
Asimovs Science Fiction (12)	23.95
Aspire Design & Home (4) Upscale	15.95
Astronomy (12)	19.95
Atomic Ranch (6) MidCentury	29.95
ATV World (4)	13.95
Auto Round-Up (26)	39.95
Backwoods Survival Guide (6)	39.95
Baseball Digest (10)	16.95
BaseMaster (11)	10.95
Batman (12)	39.95
Batgirl (12)	39.95
Batman Beyond (12)	39.95
Batman/Superman (12)	39.95
Better Homes & Gardens (12)	12.95
Birds & Blooms (6)	16.95
BirdWatching (6)	16.95
Blissful Dot2Dot (4)	25.00
Bloomberg Business Week (55)	-55.95
Blue Ribbon Sudoku (12)	19.95
Boating Magazine (12)	10.95
Boat International (6)	39.95
Bon Appetit (10)	12.95
Brainfun Picture Puzzles (4)	25.00
Brew Your Own (Beer) (6)	28.00
Bridal Guide (6)	10.95
California Home & Design (4)	13.95
Car & Driver (12)	18.95
Car Culture Deluxe (6)	27.95
Catster (was Cat Fancy) (5)	16.95
Charisma (12)	14.95
Chickens (6)	22.95
Christianity Today (10)	13.95
Cigar & Spirits (6)	19.95
Classic Car Round-Up (12)	39.95
Classic MotorSports (6)	14.95
Clean Eating (8)	17.95
Closer (Only 20 issues) Celebrities	49.95
Collectible Automobile (6)	29.95
Colorado Homes & Life (6)	15.00
Color Your Own Greeting Cards (4)	29.95
Conde Nast Traveler (8)	11.95
Consumer Reports (12)	25.95
Cooks Country (6) Recipes	16.95

Cooks Illustrated (6)	20.00
Cosmopolitan (12)	15.95
Country (7)	16.95
Country Extra (7)	16.95
Country Gardens (4)	16.95
Country Woman (7)	16.00
Country Living (10)	18.00
Country Sampler (6)	19.95
Cowboys & Indians (8)	12.95
Crochet (4)	19.95
Crochet World (6)	19.95
Cruising World (12)	12.95
Daily Word (6) (Inspirational)	16.95
Deer & Deer Hunting (12)	19.95
Dell Original Sudoku (8)	19.95
Dell Variety Puzzles (6)	19.95
Dell Word Search (6)	17.95
Detective Comics (12)	40.00
Diesel World (9)	27.95
Discover (6)	32.95
Do It Yourself (4)	18.00
Dogster (6) Was Dog Fancy	16.95
Dupont Registry Autos (12)	39.95
Dwell Modern Homes (10)	13.95
Elle (12)	14.95
Elle Decor (10)	14.95
Entrepreneur (10)	11.95
Esquire (8)	16.95
Family Handyman (10)	15.95
Family Tree (6)	25.95
Farm & Ranch Living (6)	16.00
Farm House Style (4)	19.95
Fast Company (6)	19.95
Favorite Easy Crosswords (6)	18.95
First for Women (17)	25.95
Flash (Comic) (12)	29.95
Florida Sport Fishing (6)	25.00
Fly Tyer (4)	12.95
Food & Wine (12)	25.00
Food Network (10)	16.95
Forbes (9)	29.95
Fortune (12)	24.95
Four Wheeler (12)	19.95
Games (Puzzles) (9)	16.95
Garden & Gun (6)	11.95
Golf Digest (11)	11.95
Golf Week (11 issues)	11.95
GoodHousekeeping (12)	16.95
Good Old Days (6)	19.95
Good Times Crosswords (6)	22.95
GQ Gentlemen's Quarterly (10)	13.95
Grassroot MotorSports (8)	14.95
Gray's Sporting Journal (7)	29.95
Great Days Outdoors (12)	19.95
Grow Mag (6) Hemp Cannabis	30.00
GuidePosts (6)	17.00
Harpers Bazaar (12)	14.95
HGTV Magazine (10)	18.00
Hobby Farms (6)	19.95
Horoscope Guide (12)	22.95
Horse Illustrated (12)	22.95
Horticulture (6)	25.00

Hot Rod (12)	18.95
House Beautiful (10)	18.00
I Phone Life (4)	20.00
Inc. Magazine (6)	10.95
Inked (6) Tattoo Mag.	25.00
Kiplinger's Personal Finance	30.00
Kit Planes (12)	19.95
Life Extension (12)	12.95
Links Best of Golf (4)	11.95
Lots of Easy Crosswords (12)	19.95
Logic Lovers Problems (6)	19.95
Looney Tunes (6)	39.95
Mad Magazine (6)	29.95
Make Mag (Electronics DIY)	19.00
Marlin (6)	13.95
Martha Stewart Living (10)	18.95
Maxim (6)	25.95
Men's Health (10)	15.95
Men's Journal (10)	19.95
Midwest Living (12)	13.95
Mindfulness Journal (4)	39.95
Motor Trend (12)	18.95
Mystery Colors (by number) (4)	25.00
New Republic (12)	28.95
News China (12)	16.95
OK! (Celebrities) (51)	59.95
Ol' Skool Rodz (6)	28.00
On Snow Magazine (5)	16.00
Out/Advocate (6)	16.95
Outside (11)	11.95
Penny's Favorite Fill In (6)	17.95
Penthouse (NUDE) (6)	30.00
Penthouse Letters (nude) (6)	35.00
People (52)	99.95
People en Espanol (10)	24.95
People Royals (4)	29.95
Phoenix Magazine (12)	12.95
Pioneer Woman (4)	19.95
Poets & Writers (6)	19.95
Popular Mechanics (6)	16.95
Popular Woodworking (7)	16.95
Prepper Survival Guide (4)	39.95
Psychology Today (6)	25.95
Racer X Illustrated (12)	19.95
Reader's Digest (12)	17.95
Real Simple (12)	15.95
Reason (11)	15.95
Red Bulletin (11)	9.95
Reminisce (7)	16.95
Reminisce Extra (7)	16.95
Revolver (4) Hard Rock Music	39.95
Robb Report (12)	49.95
Runners World (6)	17.95
RV Magazine (12)	16.95
Sail (12)	34.95
Sailing World (6)	17.95
Saltwater Sportsman (10)	14.95
Saturday Evening Post (6)	19.95
Scuba Diving (6)	13.95
Slam (10)	17.95
Snow Goer (7)	29.95
Sound & Vision (6)	14.95

Southern Boating (12)	14.95
Southern Living (13)	17.95
Southwest Art (10)	29.95
SpeedBoat Magazine (9)	24.00
Spirituality & Health (6)	17.95
Sports Illustrated (16)	65.00
Star (50) Celebrity stories/photos	59.95
Street Trucks (9)	29.95
Stereophile (6)	13.95
SuperMan (12)	39.95
Super-Heros Legion of (12)	39.95
Taste of Home (6) Recipes	15.95
Tennis (6)	13.95
Texas Fish & Game (10)	13.95
Time Magazine (48) News	29.95
Thrasher (12)	15.95
Totally Easy Sudoku (4)	15.95
Town & Country (8)	14.95
Truck Round-Up (12)	29.95
TV Guide (26)	29.95
Unity (6) (Inspirational)	21.95
USA Crosswords Jumbo (7)	17.95
Us Weekly (52)	49.95
Vanity Fair (12)	16.95
Variety Word Find Puzzles (12)	23.95
Veranda (6)	16.95
Videomaker (6)	15.95
Vogue (12)	15.95
Watch (TV) (4)	12.95
Watercolor Artist (6)	23.95
Week (The Week) (51) News	99.95
Wine Enthusiast (13)	14.95
Wired (12)	25.00
Woman's Day (10)	17.95
Women's Health (10)	12.95
Wood (7)	18.95
WoodCraft (6)	15.95
Working Mother (9)	10.95
World of Sudoku (6)	16.95
Writer's Digest (8)	22.95
Yachting (12)	12.95

Catalogs are now printed on 1 sided white paper due to prison restrictions. It may not look fancy but it's the only way to get it to you!

Good Karma! COVID 19 Update
Just FYI I am happy to let you know that I am now fully vaccinated & Boosted! Woo Hoo!!

Your magazine orders will not be delayed. While things are starting to improve some magazine publishers are still hit hard with Covid 19 cases are delaying an issue or two during the pandemic and will pick back up. We just have to be very patient during these difficult times. I am not doing Julie's Gifts for the foreseeable future. Roses are still available but prices have gone up to \$95 per dozen. Thank you, Julie

Buy 4 or More Magazine Subscriptions & Pay Just \$5, \$8, \$9, \$10 or \$11 EACH!

To qualify for these prices you must Buy at Least a Total of 4 Subscriptions. You can buy more than 4 but must buy at least 4 to qualify for the discounted prices. For example you can buy any magazine in the first box for just \$5. All the magazines in the next boxes are just \$8, \$9, \$10 or \$11 each per year when you buy 4 or more subscriptions. Buy as many as you like from each box. For example you can buy 4 all from the the same price box or mix & match from the different priced boxes. Pick all your favorites and try some new magazines to enjoy. All subscriptions are for 1 year. Enjoy! Julie

Afar (Travel)	Fast Company	\$5 each Box
Allure	FreeSkier	
Architectural Digest	Martha Stewart Living	Thank You for supporting a Small Woman owned Family Business Founded in 1999! Julie
Bassmaster	Saltwater Sportsman	
Better Homes & Gardens	Garden & Gun	Inc. Magazine
Boating Magazine	Golf Digest	
Bon Appetit	Inc. Magazine	Links (Golf)
Conde Nast Traveler	Yachting	
Entrepreneur	Bridal Guide	

Notes: It is your responsibility to know which magazines your prison allows you to have. I cannot replace or refund magazines rejected by your prison. All subscriptions are for 1 YEAR unless otherwise noted. I list # of issues so you know approximately how many to look for. Publishers can change number of issues up or down at any time. We cannot offer refunds if you change your mind and want to switch magazines. We do not accept credit or debit cards please send a check or money order. Postal Money orders are appreciated. Note: We no longer mass mail catalogs. Please write for a new catalog when you need one.

Note: You must buy at least 4 magazines to qualify for these reduced prices.

Cruising World	Life Extension	\$8 each Box	Address Change Notice We no longer can offer Address Change service. You will need to notify the publishers yourself or have a friend or family member contact them for you.
Fly Tyer	Marlin		
GQ	Midwest Living	\$9 each Box	Taste of Home Harper's Bazaar Woman's Day Charisma
Watch!	Outside		
California Home & Design	Elle	\$9 each Box	Scuba Diving
Christianity Today	Elle Decor		
Cowboys & Indians	Scuba Diving		

Birds & Blooms	Phoenix Magazine	Texas Fish & Game
Birds & Blooms Extra	Sailing World	Town & Country
Classic MotorSports	Sound & Vision	Good Housekeeping
Cleveland	Southern Boating	Vogue
Dwell Magazine	Stereophile	
Stereophile	GrassRoot MotorSports	
Tennis	Cosmopolitan	
	Tampa Bay Magazine	

Please send a SASE if at all possible when requesting a new catalog. Note if you are at a prison that does not allow tape on the envelope (Texas & more) you MUST send SASE.

Aspire Design & Home	Mens Health	\$11 each Box	Note: Magazine prices have gone up recently. I am working hard to keep prices low. If you feel it in your heart to send a few extra dollars or stamps it would help & Good Karma will come to you! It has been a pleasure to be your Best Magazine Agent since 1999!
Food Network	Slam (Basketball)		
Food & Wine	Thrasher Magazine		
Colorado Homes	Great Days Outdoors		
Southern Living	Farm & Ranch Living		

Thank you! We appreciate your business.

Tightwad Magazines P.O. Box 1941 Buford GA 30515

~~10109~~

MILLS

1090887

~~10109~~

10109



Case: 4:24-cv-00680-MTS Doc. #: 1-4 Filed: 05/15/24 Page: 27 of 35 PageID #: 47
STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
INFORMAL RESOLUTION REQUEST

INSTITUTION USE ONLY
☐ EMERGENCY COMPLAINT

CATEGORY: Property

DATE RECEIVED: 7/20/23

COMPLAINT NUMBER: EDCC 23-10165

OFFENDER SECTION - MUST COMPLETE WITH INK

OFFENDER NAME

Mills, Desmond

DOC I.D.

1090887

HOUSING UNIT

4C-209

STATE YOUR COMPLAINT OR PROBLEM BRIEFLY. ONLY ONE ISSUE. BE SPECIFIC.

I had my property when I went to phase 3. I went back to the hole from phase 3 and when I got out this time I didnt have my fan or CL-20 headphones. The big ones
IS22-1.1

D3-6 SOP 217.040 - 217.175

ACTION REQUESTED - STATE THE REMEDIES YOU ARE SEEKING.

I want a replacement fan and CL-20 headphones.
They just gave me the Fan, Need headphones though

OFFENDER SIGNATURE

Desmond Mills

DOC I.D.

1090887

DATE

6-26-23

INSTITUTION STAFF MEMBER USE ONLY

DISCUSSION OF COMPLAINT - SUMMARIZE THE RESULTS OF THE MEETING.

Offender claims his fan has been returned, but he is still missing his headphones. offender requests replacement CL-20 headphones.

☐ IRR RESOLVED BY DISCUSSION OR WITHDRAWN

☒ IRR NOT RESOLVED BY DISCUSSION

OFFENDER SIGNATURE

Desmond Mills

DOC I.D.

1090887

DATE

9/22/23

STAFF MEMBER SIGNATURE

com

I.D. NUMBER

125540

DATE

9/22/23

STAFF FINDINGS - RESPONSE

INVESTIGATING STAFF MEMBER SIGNATURE

com

I.D. NUMBER

125540

DATE

9/22/23

RESPONDENT SIGNATURE

M. B. S.

I.D. NUMBER

104553

DATE

10/10/23

REVIEWER SIGNATURE

Tim Freeman AW

I.D. NUMBER

110787

DATE

10-13-23

RESULTS: ☐ SATISFACTORY ☐ UNSATISFACTORY

YOU HAVE THE RIGHT TO FILE A FORMAL GRIEVANCE. YOU MUST FILE A GRIEVANCE FORM WITH THE DESIGNATED STAFF WITHIN SEVEN DAYS FROM THE DATE YOU RECEIVE THIS RESPONSE. FAILURE TO SUBMIT A GRIEVANCE WITHIN THIS TIME FRAME CONSTITUTES ABANDONMENT.

OFFENDER SIGNATURE

DOC I.D.

DATE

INFORMAL RESOLUTION RESPONSE

OFFENDER NAME AND NUMBER: Mills, Desmond #1090887

IRR LOG NUMBER: ERDCC23-1065

CATEGORY: 6B

HOUSING UNIT: 4A114

NATURE OF COMPLAINT: Your complaint as I understand it is that when you were released from Administrative Segregation you were missing your CL-20 headphones. You are requesting that your CL-20 headphones are replaced.

FINDINGS: I have reviewed your IRR and supporting documentation. Upon review, there is no evidence to support your claim that your property was lost due to staff negligence. Due to a lack of evidence, your IRR has been denied.

RECOMMENDATION: Based on my findings your IRR is denied.

Investigating Staff:  125540

Respondent: 

Reviewer:  110787



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
OFFENDER GRIEVANCE

INSTITUTION USE ONLY

GRIEVANCE NUMBER: ERDCC23-1065

CATEGORY: Property LeB DATE FILED: _____

OFFENDER SECTION - MUST COMPLETE WITH INK

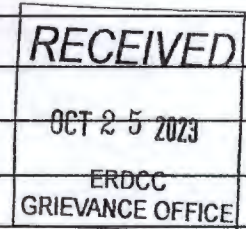
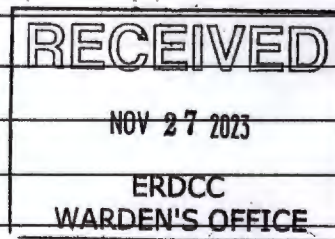
OFFENDER NAME	DOC I.D.	HOUSING UNIT	UNIT	INSTITUTION
Mills, Desmond	1090887	2	2D-217	ERDCC

OFFENDER GRIEVANCE OR REQUEST

See Informal Resolution Request Form 1065
Every I.R.R. I'm Submitting I'm Stating
The SOP's and this institution is going against
it own policies instead of doing the right thing

OFFENDER SIGNATURE <u>Desmond Mills</u>	DOC I.D. <u>1090887</u>	DATE <u>10-24-23</u>
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CAO OR DESIGNEE RESPONSE



CHIEF ADMINISTRATIVE OFFICER OR DESIGNEE SIGNATURE	I.D. NUMBER	DATE

YOU HAVE THE RIGHT TO APPEAL THE DECISION TO A DIVISION DIRECTOR. YOU MUST FILE AN APPEAL FORM WITH THE GRIEVANCE OFFICER WITHIN SEVEN DAYS FROM THE DAY YOU RECEIVE THIS DECISION. FAILURE TO SUBMIT AN APPEAL WITHIN THIS TIME FRAME CONSTITUTES ABANDONMENT OF THE GRIEVANCE.

☐ I ACCEPT THIS DECISION ☐ I APPEAL THIS DECISION

OFFENDER SIGNATURE	DOC I.D.	DATE

WARDEN'S RESPONSE

GRIEVANCE LOG NUMBER

DATE

ERDCC 23-1065

11/22/2023

OFFENDER NAME

DOC NUMBER

CATEGORY

Mills, Desmond

1090887

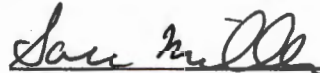
6B

☐ EMERGENCY GRIEVANCE ☒ GRIEVABLE ☐ NON-GRIEVABLE

RESPONSE AND JUSTIFICATION:

Mr. Mills, I am in receipt of your Grievance dated October 25, 2023. You state when you were placed in Phase II Administrative Segregation from Phase III, your Koss CL-20 headphones went missing.

I have reviewed your Informal Resolution Request, Grievance, and other pertinent information available to me. D3-6.1 Responsibility of Offender's Lost or Damaged Property states "Only offender property in the possession or under supervision of staff with the department shall be replaced or reimbursed when: 1. Such property is damaged or misplaced without fault of the owner, or 2. Staff negligence or error is determined as the cause." I did not find any evidence of staff negligence and I cannot justify reimbursement. This should resolve your complaint at the Grievance level.



GRIEVANCE OFFICER'S SIGNATURE

WARDEN'S ACTIONS

☒ APPROVED

☐ DISAPPROVED



CHIEF ADMINISTRATIVE OFFICER OR DESIGNEE SIGNATURE



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
OFFENDER GRIEVANCE APPEAL

INSTITUTION USE ONLY

GRIEVANCE NUMBER: ERDCC-23-1065

6B

DATE FILED: 12/29/23

OFFENDER SECTION - MUST COMPLETE WITH INK

OFFENDER NAME

MILLS, DESMOND 2D-217

DOC I.D.

1090887

INSTITUTION

ERDCC

REASON FOR APPEAL

Had the C.O. came to the cell with my property sheet he wouldve
knew my fan and Koss CL-20 headphones were missing. As you
stated on the grievance #(2) staff negligence or error is determined
as the ~~release~~ cause.

I would like to be reimbursement of my headphones

OFFENDER SIGNATURE

Desmond Mills

DOC I.D.

109088

DATE

12-27-23

DIVISION DIRECTOR OR DESIGNEE RESPONSE

RECEIVED

JAN 04 2024

ERDCC
GRIEVANCE OFFICE

DIVISION DIRECTOR OR DESIGNEE SIGNATURE

DATE

Finalization of this appeal represents exhaustion of this grievance pursuant to federal law, 28 CFRs 40.

OFFENDER SIGNATURE

DOC I.D.

DATE

Michael L. Parson
Governor



2729 Plaza Drive
P. O. Box 236
Jefferson City, MO 65102
Telephone: 573-751-2389
Fax: 573-751-4099

Trevor Foley
Acting Director

State of Missouri
DEPARTMENT OF CORRECTIONS
"Improving Lives for Safer Communities"

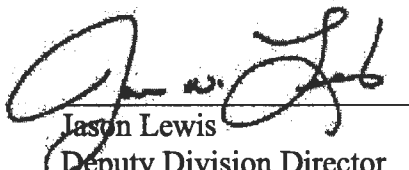
GRIEVANCE APPEAL RESPONSE

January 30, 2024

Desmond Mills
Register #1090887
Eastern Reception, Diagnostic & Correctional Center (ERDCC)

RE: ERDCC-23-1065
Property
Received on January 5, 2024
Reviewed on January 30, 2024

Your appeal dated December 27, 2023, has been reviewed. The Grievance response you received adequately addressed your complaint. Your complaint claims when you were assigned to administrative segregation you were missing property. Missouri Department of Corrections policy D3-6.1- Responsibility for Offender's Lost or Damaged Property states, "Only offender property in the possession or under supervision of staff with the department shall be replaced or reimbursed when: such property is damaged or misplaced without fault of the owner, or staff negligence or error is determined as the cause. The burden of proof of staff negligence or error shall fall on the offender." After a careful review of all the evidence provided to me, I have not found any violation of policy or procedure. You have failed to provide any evidence to support your complaint that your property was misplaced by staff. Your appeal is denied.


Jason Lewis
Deputy Division Director
Division of Adult Institutions

JL/kk



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
OFFENDER GRIEVANCE

ORIGINAL

INSTITUTION USE ONLY

GRIEVANCE NUMBER: ERDCC23-2108
CATEGORY: 8P DATE FILED: _____

OFFENDER SECTION - MUST COMPLETE WITH INK

OFFENDER NAME	DOC I.D.	HOUSING UNIT	UNIT	INSTITUTION
<u>Mills, Desmond</u>	<u>1090887</u>	<u>1C</u>	<u>109</u>	<u>ERDCC</u>

OFFENDER GRIEVANCE OR REQUEST

Ms. Lisa Hooker C# 152086 you stated that I didnt provided No Evidence of my claims. IF you "Read" my Original IRR I stated the CCTV Camera is my evidence. I also stated "he gave" me a tray that ~~other~~ ^{another} offender did something to not tryed to give me a tray. I want to know why he would do that and I want it put in his personal file he did that. I'ma be on the up and up with you. I heard what happened to him with that lock. I hate that it happen to him but I'm not surprise because I have seen how he talks and treats people behind these doors. I'm filing these IRR's for a reason. I care about everyone - inmate and staff but a lot of people dont care one way or another. Just do the right thing and put it in his file ^{what if I} got sick behind that

OFFENDER SIGNATURE	DOC I.D.	DATE
<u>Mills Desmond</u>	<u>1090887</u>	<u>1-17-24</u>

CAO OR DESIGNEE RESPONSE

RECEIVED
MAR 05 2024
ERDCC
WARDEN'S OFFICE

RECEIVED
JAN 18 2024
ERDCC
GRIEVANCE OFFICE

CHIEF ADMINISTRATIVE OFFICER OR DESIGNEE SIGNATURE	I.D. NUMBER	DATE
<u>Heather W</u>	<u>24161</u>	<u>3/5/24</u>

YOU HAVE THE RIGHT TO APPEAL THE DECISION TO A DIVISION DIRECTOR. YOU MUST FILE AN APPEAL FORM WITH THE GRIEVANCE OFFICER WITHIN SEVEN DAYS FROM THE DAY YOU RECEIVE THIS DECISION. FAILURE TO SUBMIT AN APPEAL WITHIN THIS TIME FRAME CONSTITUTES ABANDONMENT OF THE GRIEVANCE.

☐ I ACCEPT THIS DECISION ☐ I APPEAL THIS DECISION

OFFENDER SIGNATURE	DOC I.D.	DATE

WARDEN'S RESPONSE

GRIEVANCE LOG NUMBER

DATE

ERDCC 23-2168

03/04/2024

OFFENDER NAME

DOC NUMBER

CATEGORY

Mills, Desmond

1090887

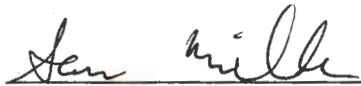
8B

____ EMERGENCY GRIEVANCE ☒ GRIEVABLE ____ NON-GRIEVABLE

RESPONSE AND JUSTIFICATION:

Mr. Mills, I am in receipt of your Grievance dated January 18, 2024. You claim on November 20, 2023, COII Hummel served you a tray that someone's picked food off of.

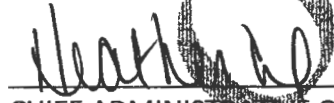
I have reviewed your Informal Resolution Request, Grievance, and other pertinent information available to me. I found the response to your Informal Resolution Request adequately addressed your complaint. Staff deny your allegations. Additionally, video footage is for the safety and security of the institution, and it does not have to be reviewed at the request of a resident. This should resolve your complaint at the grievance level.



GRIEVANCE OFFICER'S SIGNATURE

WARDEN'S ACTIONS

☒ APPROVED ☐ DISAPPROVED



CHIEF ADMINISTRATIVE OFFICER OR DESIGNEE SIGNATURE



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
INFORMAL RESOLUTION REQUEST

INSTITUTION USE ONLY ☐ EMERGENCY COMPLAINT

OFFENDER NAME <i>Mills, Desmond</i>		DOC NUMBER <i>1090887</i>	
DATE STAFF MEMBER RECEIVED IRR <i>2-18-2022</i>	COMPLAINT NUMBER <i>EPDCC22-177</i>	CATEGORY <i>3C</i>	HOUSE UNIT <i>1C113</i>

STATE YOUR COMPLAINT/PROBLEM BRIEFLY- ONE ISSUE - BE SPECIFIC

on 12-30-21 CO1 Ragan wrote me up for 311. Prior to moving into 2d-202 Mr. Ragan never filled out room inspection checklist nor did I sign one. According to IS21-1.2 III procedures Ragan was supposed to: Prior to offender placement in a cell/room and after the offender is released or changed to another cell/unit staff will complete a room inspection checklist form (Attachment). The plate was already damaged.

ACTION REQUESTED: STATE REMEDIES YOU ARE SEEKING

I want to be Reimbursed in the amount of \$7.25 for the dress plate

OFFENDER SIGNATURE <i>Mills, Desmond</i>	DATE <i>2-17-22</i>
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STAFF USE ONLY

DISCUSSION OF COMPLAINT (SUMMARIZE RESULTS OF MEETING)

units reimbursed

<input type="checkbox"/> IRR RESOLVED BY DISCUSSION/WITHDRAWN		<input checked="" type="checkbox"/> IRR NOT RESOLVED BY DISCUSSION	
OFFENDER SIGNATURE <i>unable</i>	DATE <i>7-8-22</i>	STAFF SIGNATURE <i>SW 135001</i>	DATE <i>7-8-22</i>

STAFF FINDINGS/RESPONSE

INVESTIGATING STAFF SIGNATURE <i>SW 135001</i>	DATE <i>7-8-22</i>	RESPONDENT SIGNATURE <i>BB FUM 101321</i>	DATE <i>7/13/22</i>
REVIEWER SIGNATURE <i>Jim Herman AW 110781</i>	DATE <i>7-18-22</i>	RESULTS <input type="checkbox"/> SATISFACTORY <input type="checkbox"/> UNSATISFACTORY	

YOU HAVE THE RIGHT TO FILE A FORMAL GRIEVANCE. YOU MUST FILE A GRIEVANCE FORM WITH THE DESIGNATED STAFF WITHIN SEVEN (7) DAYS FROM THE DATE YOU RECEIVE THIS RESPONSE. FAILURE TO SUBMIT A GRIEVANCE WITHIN THIS TIME FRAME CONSTITUTES ABANDONMENT.

OFFENDER SIGNATURE	DATE
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